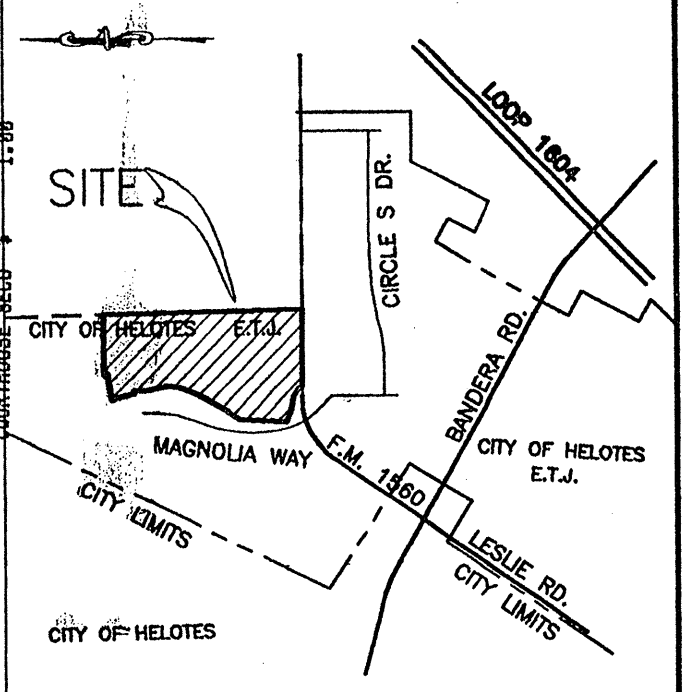


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Book: 9555  
Page: 76  
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89/13/2002 18:27:32 AM  
GERRY RICKHOFF  
COUNTY CLERK  
BEXAR COUNTY  
RECORDING DEPT  
COUNTY CLERK  
BEXAR COUNTY



### NOTES

1. THE VARIABLE WIDTH DRAINAGE EASEMENTS WERE DELINEATED TO CONTAIN THE BOUNDARIES OF THE 100 YEAR FLOOD ZONE ESTABLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) IN ACCORDANCE WITH FIRM PANEL 48029C0140E, AND DATED FEBRUARY 16, 1996. CONSTRUCTION WITHIN THESE EASEMENTS IS PROHIBITED WITHOUT THE PRIOR WRITTEN APPROVAL OF THE BEXAR COUNTY FLOOD PLAIN ADMINISTRATOR. BEXAR COUNTY PUBLIC WORKS SHALL HAVE ACCESS TO THESE DRAINAGE EASEMENTS AS NECESSARY.
2. ELEVATIONS ARE BASED ON U.S.G.S. DATUM
3. BEARING SOURCE: HELOTES PARK TERRACE UNIT - 1 VOLUME 9535, PAGES 179-180.
4. 1/2" IRON PINS SET AT ALL CORNERS UNLESS NOTED OTHERWISE.
5. ALL OF THIS SUBDIVISION IS IN THE CITY LIMITS.
6. B.S.L. = BUILDING SETBACK LINE
7. WASTEWATER EDU NOTE:  
THE NUMBER OF WASTEWATER EQUIVALENT DWELLING UNITS (EDUS) PAID FOR THIS SUBDIVISION PLAT ARE KEPT ON FILE AT THE SAN ANTONIO WATER SYSTEM UNDER THE PLAT NUMBER ISSUED BY THE PLANNING DEPARTMENT.
8. LOT 31 BLOCK 1, AND LOTS 1 & 2 BLOCK 2 ARE TO BE DEDICATED TO THE HOMEOWNERS ASSOCIATION.
9. ALL PRIVATE STREETS ARE ALSO ELECTRIC, DRAINAGE, TELEPHONE, GAS, CABLE TV WATER AND SANITARY SEWER EASEMENTS AND SHALL BE MAINTAINED AND OWNED BY THE PARK AT FRENCH CREEK HOME OWNERS ASSOCIATION. THIS PLAT DOES NOT AMEND, ALTER, RELEASE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC, GAS, WATER, SEWER DRAINAGE, TELEPHONE, CABLE EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED BELOW.
10. THIS SUBDIVISION DOES LIE WITHIN THE LIMITS OF INCORPORATION FOR THE CITY OF HELOTES, TEXAS EXTRA TERRITORIAL JURISDICTION.
11. THIS SUBDIVISION DOES LIE WITHIN THE RECHARGE ZONE OF THE EDWARDS AQUIFER.

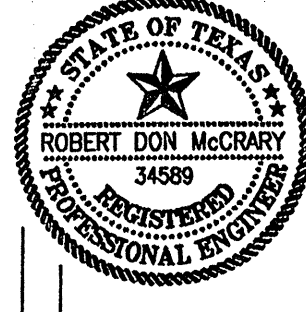
### TEXAS DEPARTMENT OF TRANSPORTATION NOTES:

1. FOR RESIDENTIAL DEVELOPMENT DIRECTLY ADJACENT TO STATE RIGHT OF WAY, THE DEVELOPER SHALL BE RESPONSIBLE FOR ADEQUATE SET-BACK AND/OR SOUND ABATEMENT MEASURES FOR FUTURE NOISE MITIGATION.
2. OWNER/DEVELOPER IS RESPONSIBLE FOR PREVENTING ANY ADVERSE IMPACT TO THE EXISTING DRAINAGE SYSTEM WITHIN THE HIGHWAY RIGHT OF WAY.
3. MAXIMUM ACCESS POINTS TO STATE HIGHWAY FROM THIS PROPERTY WILL BE REGULATED AS DIRECTED BY REGULATIONS FOR ACCESS DRIVeways TO STATE HIGHWAYS. THIS PROPERTY IS ELIGIBLE FOR A MAXIMUM COMBINED TOTAL OF ONE ACCESS POINT, BASED ON THE OVERALL PLATTED HIGHWAY FRONTAGE OF 481.36.
4. IF SIDEWALKS ARE REQUIRED BY APPROPRIATE CITY ORDINANCE, A SIDEWALK PERMIT MUST BE APPROVED BY TxDOT, PRIOR TO CONSTRUCTION WITHIN STATE RIGHT OF WAY. LOCATIONS OF SIDEWALKS WITHIN STATE RIGHT OF WAY SHALL BE AS DIRECTED BY TxDOT.

### CERTIFICATE OF APPROVAL

THE UNDERSIGNED, COUNTY JUDGE OF BEXAR COUNTY, TEXAS AND PRESIDING OFFICER OF THE COMMISSIONER'S COURT OF BEXAR COUNTY, DOES HEREBY CERTIFY THAT THIS PLAT WAS DULY FILED WITH THE COMMISSIONER'S COURT OF BEXAR COUNTY, TEXAS AND THAT AFTER EXAMINATION IT APPEARS THAT THIS PLAT IS IN CONFORMITY WITH THE STATUTES, RULES AND REGULATIONS GOVERNING SAME, AND THAT THIS PLAT HAS BEEN APPROVED BY THE SAID COMMISSIONER'S COURT.

ON THIS 28th DAY OF February, 2001  
ATTEST: COUNTY JUDGE, BEXAR COUNTY, TEXAS  
ATTEST: COUNTY CLERK, BEXAR COUNTY, TEXAS



STATE OF TEXAS  
COUNTY OF BEXAR

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.  
THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY ROBERT DON MCCRARY, R.P.L.S. 3403 ON JANUARY 16, 2001

JOSE R. AGUILAR  
MY COMMISSION EXPIRES  
FEBRUARY 17, 2003

STATE OF TEXAS  
COUNTY OF BEXAR

I HEREBY CERTIFY THAT THE PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT.

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY ROBERT DON MCCRARY, P.E. 34589 ON JANUARY 16, 2001

JOSE R. AGUILAR  
MY COMMISSION EXPIRES  
FEBRUARY 17, 2003

### SUBDIVISION PLAT OF PARK AT FRENCH CREEK UNIT 1 (P.U.D.)

BEING 16.134 ACRES OF LAND OUT OF A 240.66 ACRE TRACT SITUATED IN THE S.A. & M.G.R.R. CO. SURVEY NO. 354 1/2, ABSTRACT NO. 715, COUNTY BLOCK 4527 AND THE H. SCHMIDT SURVEY NO. 354 1/4, ABSTRACT NO. 1154, COUNTY BLOCK 4533 RECORDED IN VOLUME 4228, PAGE 1089 OF THE REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS.

STATE OF TEXAS  
COUNTY OF BEXAR

THE OWNER OF THE LAND SHOWN ON THIS PLAT IN PERSON OR THRU DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE RESIDENTS OF THE PARK AT FRENCH CREEK SUBDIVISION, PLANNED UNIT DEVELOPMENT THROUGH ITS HOMEOWNER ASSOCIATION FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINAGE, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

THE STREETS ARE PRIVATELY OWNED AND MAINTAINED BY THE RESIDENTS OF THE PARK AT FRENCH CREEK SUBDIVISION PLANNED UNIT DEVELOPMENT BY AND THROUGH THE HOMEOWNER ASSOCIATION ESTABLISHED TO MANAGE THE COMMON PROPERTY.

Lloyd T. Booth  
OWNER

DULY AUTHORIZED AGENT

STATE OF TEXAS  
COUNTY OF HELOTES

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Lloyd T. Booth, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Wendy Sattler  
Notary Public  
State of Texas  
My Comm. Exp. 2-23-2004

STATE OF TEXAS  
COUNTY OF BEXAR

THE CITY ENGINEER OF THE CITY OF HELOTES HEREBY CERTIFIES THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY AS TO WHICH HIS APPROVAL IS REQUIRED.

Thomas Flores  
CITY ENGINEER

THIS PLAT OF PARK AT FRENCH CREEK SUBDIVISION UNIT - 1 HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY COUNCIL OF THE CITY OF HELOTES, TEXAS, AND IS HEREBY APPROVED BY THE CITY COUNCIL.

ON THIS 28th DAY OF June, 2001  
By: [Signature]  
CITY SECRETARY

STATE OF TEXAS  
COUNTY OF BEXAR

I, \_\_\_\_\_ COUNTY CLERK OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE, ON THE DAY OF \_\_\_\_\_, A.D. 2001 AT \_\_\_\_\_ M.

AND DULY RECORDED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2001, AT \_\_\_\_\_ M. IN THE RECORDS OF DEEDS AND PLATS OF SAID COUNTY, IN BOOK VOLUME \_\_\_\_\_ ON PAGE \_\_\_\_\_.

IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

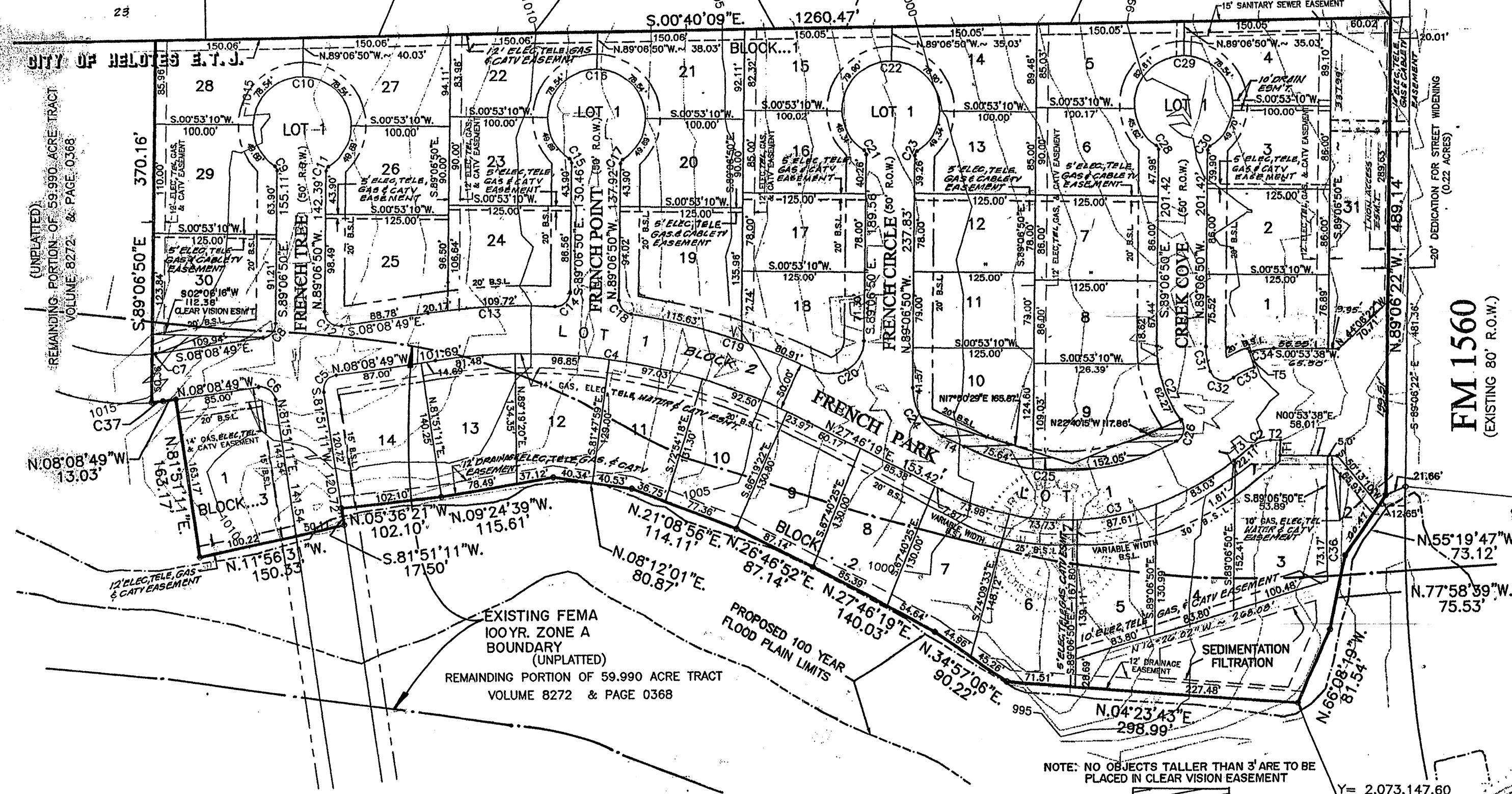
COUNTY CLERK, GUADALUPE COUNTY, TEXAS  
BEXAR COUNTY, TEXAS

BY: \_\_\_\_\_ DEPUTY

SHEET 1 OF 1

### LOCATION MAP (SCALE: N.T.S.)

Scale: 1" = 100'



CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD	BEARING
C01	89°06'50"E	100.00'	100.00'	100.00'	100.00'	N00°00'00"W
C02	32°26'57"	30.00'	10.78'	20.68'	20.68'	N18°49'51"W
C03	88°19'39"	275.00'	179.71'	318.35'	300.67'	N05°23'30"W
C04	35°55'08"	825.00'	202.59'	391.82'	389.63'	N09°48'45"W
C05	80°00'00"	15.00'	15.00'	23.86'	21.21'	N53°04'45"W
C06	32°02'00"	18.00'	15.00'	23.86'	21.21'	N36°51'11"W
C07	01°15'07"	175.00'	1.81'	3.82'	3.82'	S07°31'18"E
C08	08°08'01"	15.00'	12.80'	21.20'	19.48'	S48°37'50"E
C09	88°58'39"	5.00'	2.71'	4.97'	4.77'	N82°24'50"E
C10	283°53'19"	50.00'	32.54'	258.47'	54.55'	S02°33'10"W
C11	88°58'39"	5.00'	2.71'	4.97'	4.77'	N82°24'50"E
C12	88°01'59"	15.00'	12.80'	21.20'	19.48'	S48°37'50"E
C13	11°01'50"	675.00'	65.14'	129.89'	129.89'	S02°38'04"E
C14	81°59'32"	15.00'	12.80'	21.20'	19.48'	S48°37'50"E
C15	88°58'39"	5.00'	2.71'	4.97'	4.77'	N82°24'50"E
C16	283°53'19"	50.00'	32.54'	258.47'	54.55'	S02°33'10"W
C17	88°58'39"	5.00'	2.71'	4.97'	4.77'	N82°24'50"E
C18	81°59'32"	15.00'	12.80'	21.20'	19.48'	S48°37'50"E
C19	18°40'57"	675.00'	65.14'	129.89'	129.89'	S02°38'04"E

CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD	BEARING
C20	118°21'01"	35.00'	58.31'	70.46'	59.15'	S31°28'20"E
C21	88°58'39"	5.00'	2.71'	4.97'	4.77'	N82°24'50"E
C22	283°53'19"	50.00'	32.54'	258.47'	54.55'	S02°33'10"W
C23	88°58'39"	5.00'	2.71'	4.97'	4.77'	N82°24'50"E
C24	83°05'50"	250.00'	33.72'	50.89'	57.47'	S51°19'44"W
C25	57°58'49"	250.00'	124.87'	222.88'	218.10'	S01°13'05"E
C26	95°58'58"	15.00'	16.85'	25.13'	22.48'	S78°11'57"E
C27	37°04'35"	125.00'	41.82'	80.89'	79.48'	N72°20'52"E
C28	88°58'39"	5.00'	2.71'	4.97'	4.77'	N82°24'50"E
C29	283°53'19"	50.00'	32.54'	258.47'	54.55'	S02°33'10"W
C30	88°58'39"	5.00'	2.71'	4.97'	4.77'	N82°24'50"E
C31	81°59'32"	15.00'	12.80'	21.20'	19.48'	S48°37'50"E
C32	109°01'38"	15.00'	21.04'	28.54'	24.43'	S18°03'53"W
C33	21°34'05"	65.00'	12.38'	24.47'	24.32'	S27°39'52"E
C34	17°46'27"	81.34'	12.72'	26.23'	26.13'	S07°48'36"E
C35	88°58'39"	5.00'	2.71'	4.97'	4.77'	N82°24'50"E
C36	04°17'03"	1552.70'	60.34'	120.82'	120.59'	N88°28'39"W
C37	02°59'18"	225.00'	5.87'	11.74'	11.73'	N08°28'10"W

LINE	BEARING	LENGTH
L1	S89°06'22"E	16.34'
L2	N00°53'38"E	10.00'
L3	N39°33'01"E	23.72'
L4	S87°46'19"W	25.76'
L5	N73°07'11"E	16.34'

THE CITY OF SAN ANTONIO AS A PART OF ITS ELECTRIC AND GAS SYSTEM (CITY PUBLIC SERVICE BOARD) IS HEREBY DEDICATING THE EASEMENTS AND RIGHT-OF-WAY FOR ELECTRIC AND GAS DISTRIBUTION AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS "ELECTRIC EASEMENT", "GAS EASEMENT", "ANCHOR EASEMENT", "SERVICE EASEMENT", "OVERHANG EASEMENT", "UTILITY EASEMENT", AND "TRANSFORMER EASEMENT" FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, MAINTAINING, REMOVING, INSPECTING, PATROLLING, AND ERECTING POLES, HANGING OR BURYING WIRES, CABLES, CONDUITS, PIPELINES OR TRANSFORMERS, EACH WITH ITS NECESSARY APPURTENANCES TOGETHER WITH THE RIGHT TO INGRESS AND EGRESS OVER GRANTOR'S ADJACENT LAND, THE RIGHT TO RELOCATE SAID FACILITIES WITHIN SAID EASEMENT AND RIGHT-OF-WAY AREAS, AND THE RIGHT TO REMOVE FROM SAID LANDS ALL TREES OR PARTS THEREOF, OR OTHER OBSTRUCTIONS WHICH ENDANGER OR MAY INTERFERE WITH THE EFFICIENCY OF SAID LINES OR APPURTENANCES. IT IS AGREED AND UNDERSTOOD THAT NO BUILDINGS, CONCRETE SLABS OR WALLS WILL BE PLACED WITHIN SAID EASEMENT AREAS.

ANY CPS MONETARY LOSS RESULTING FROM MODIFICATIONS REQUIRED OF CPS EQUIPMENT, LOCATED WITHIN SAID EASEMENT DUE TO GRADE CHANGES OR GROUND ELEVATION ALTERATIONS SHALL BE CHARGED TO THE PERSON OR PERSONS DEEMED RESPONSIBLE FOR SAID GRADE CHANGES OR GROUND ELEVATION ALTERATION.

**Don McCrary & Associates, Inc.**  
ENGINEERS & SURVEYORS  
323 BREESEPORT  
SAN ANTONIO, TEXAS 78216-2602  
(210)349-2651

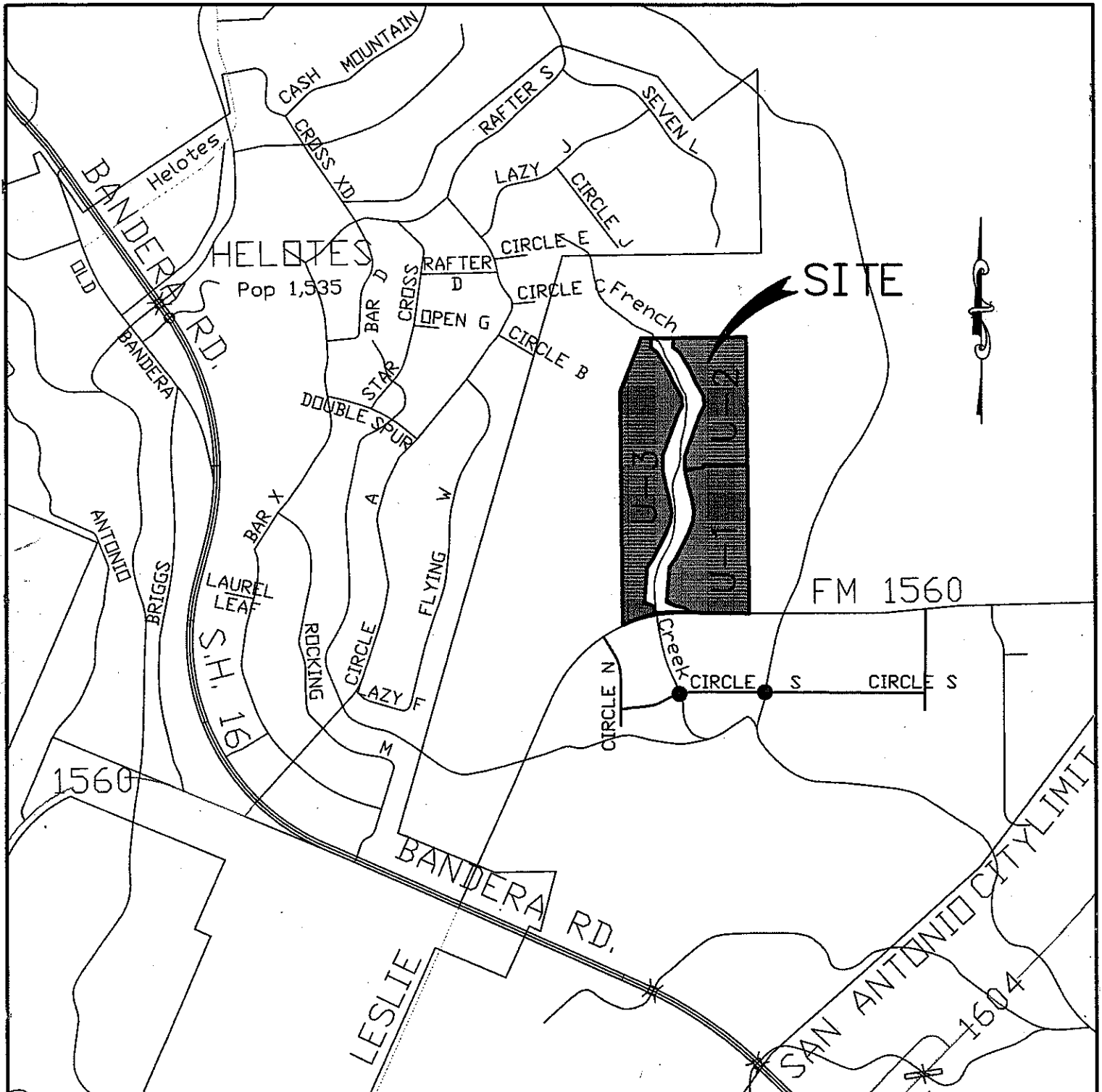
RECORD OWNER AND DEVELOPER:  
Housman Road Partners, Ltd.  
Todd or Lloyd Booth  
9130 Wurzbach, Suite 100  
San Antonio, Texas 78224  
Phone No. (210) 614-3911

OSWASO VH 3:10

DEPARTMENT OF HIGHWAYS  
CITY OF SAN ANTONIO

DATE: APRIL, 2000 PROJ. NO.: 99264

VRP# 03-11-014



# LOCATION MAP

N.T.S.



City of San Antonio  
New  
**Vested Rights Permit**  
**APPLICATION**

RECEIVED

04 FEB -9 PM 3:54

LAND DEVELOPMENT  
SERVICES DIVISION

CITY OF SAN ANTONIO  
DEPARTMENT OF PLANNING  
02 NOV 20 AM 9:10

Permit File: # **VRP#03-11-014** Date: 11/18/02  
Assigned by city staff

1. All applicable information on application must be legibly printed or typed for processing. If application is completed on behalf of the property owner please attach power of attorney or letter of agent.
2. Please complete subject of application and attach 2 sets of all applicable documents (i.e. this application, Master Development Plan (Formaly POADP), P.U.D. plan, plat application, approved plat, building permit).

**Note: All Applications must have a Site Map showing the Area Boundary (Attached).**

1. Owner/ Agent Earl & Brown, P.C. on behalf of Hausman Road Partnership, Ltd.
2. Address: 111 Soledad, Suite 1111, San Antonio, Texas
3. Zip: 78205 Telephone # (210) 222-1500
4. Site location or address North of FM1560 east of its intersection with Circle Drive
5. Council District \_\_\_\_\_ ETJ Yes Over Edward's Aquifer Recharge ☒ yes ( ) no

• **MASTER DEVELOPMENT PLAN (MDP) (Formaly POADP)\***

accepted prior to September 1, 1997 are subject to permit right conditions within 18 months from the effective date of the development rights ordinance (9/25/97) and projects submitted after September 1, 1997 are subject to 18 months for the POADP acceptance date.

Name: \_\_\_\_\_ # \_\_\_\_\_

Date accepted: \_\_\_\_\_ Expiration Date: \_\_\_\_\_ MDP Size: \_\_\_\_\_ acres

• **P.U.D. PLAN**

Name: \_\_\_\_\_ # \_\_\_\_\_

Date accepted: \_\_\_\_\_

• **Plat Application**

Plat Name: \_\_\_\_\_ Plat # \_\_\_\_\_ Acreage: \_\_\_\_\_

Date submitted: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

(Note: Plat must be approved within 18 months of application submittal date).

August 17, 2001

03-11-014

• **Approved Plat**

Plat Name: \_\_\_\_\_ Plat # \_\_\_\_\_ Acreage: \_\_\_\_\_ Approval \_\_\_\_\_

Date: \_\_\_\_\_ Plat recording Date: \_\_\_\_\_ Expiration Date: \_\_\_\_\_ Vol./Pg. \_\_\_\_\_

(Note: If plat is not recorded within 3 years of plat approval permit rights will expire).

• **Others**

Type of Permit: SAWS Water Commitment Date issued: 7/11/00 Expiration Date: N/A

Acreage: 60

Requesting recognition of fact this property was subject to City of Helotes Development Regulations at time permit was obtained.

(Note: Two maps of the area must be provided)

CITY OF SAN ANTONIO  
DEPARTMENT OF PLANNING  
02 NOV 20 AM 9:10

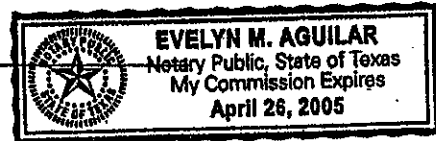
**NOTE: Filing a knowingly false statement on this document, or any attached document, is a crime under §37.02 and §37.10 of the Texas Penal Code, punishable as a state jail felony by up to two years in jail and fine of up to \$10,000.**

I hereby certify that all information this Application and the attached documents are true and correct and that it is my belief the property owner is entitled to Vested Rights on the listed location.

Print name: Habib H. Erkan, Jr. Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Sworn to and subscribed before me by on this 18th day of November 20 02, to certify which witness by hand and seal of office.

Notary Public, State of Texas, My Commission expires: \_\_\_\_\_



City of San Antonio use

☒ **Approved** As of 7-11-00

☐ **Disapproved**

Review By: \_\_\_\_\_ Date: Nov 27, 2002  
Assistant City Attorney

August 17, 2001

*VESTED RIGHTS EXTEND ONLY TO THE PROJECT AS REFERENCED IN THE SAWS COMMITMENT LETTER AND AS SHOWN ON ITS PLANS SUBMITTED TO THE CITY OF HELOTES. VESTED RIGHTS SHALL BE BASED UPON THE REGULATIONS OF THE CITY OF HELOTES AS OF 7-11-00. IT SHALL BE THE BURDEN OF APPLICANT TO SHOW HOW THOSE REGULATIONS DIFFER FROM THOSE AT THE TIME OF APPLICATION.*

November 18, 2002

Mr. Mike Herrera  
Planning Department  
City of San Antonio  
114 W. Commerce, 3<sup>rd</sup> Floor  
San Antonio, TX 78205

Via Hand-Delivery

Mr. Tom Shute  
Office of the City Attorney  
City of San Antonio  
100 Military Plaza, 3<sup>rd</sup> Floor  
San Antonio, TX 78205

Via Hand-Delivery

CITY OF SAN ANTONIO  
DEPARTMENT OF PLANNING  
02 NOV 20 AM 9:09

Re: Vested Rights Permit Application for the Park at French Creek  
(approximately 60 Acres located North of FM 1560 just east of its  
intersection with Circle Drive)

Dear Messrs.:

On behalf of my client, Hausman Road Partnership, LTD., please accept this application for recognition of vested rights for approximately 60 acres located north of FM 1560, just east of its intersection with Circle Drive.

This request is made pursuant to the provisions of the City of San Antonio's Unified Development Code Chapter 35, Article 7, Division 2, entitled "Vested Rights" and Texas Local Government Code Chapter 245. The permit on which my client has relied on is a Resolution for Water Commitment (Resolution No. 00-198) passed and approved by the San Antonio Water System Board of Trustees on July 11, 2000, and hereinafter referenced as the "Water Commitment."

The Park at French Creek is a **three unit single family gated community** (hereinafter referred to as the "project"). Please note that at the time my client sought this permit, and subsequent permits noted below for the development of this project, this property was located in the Extra Territorial Jurisdiction ("ETJ") of the City of Helotes, Texas. Moreover a July 27, 2000 correspondence from Sam Mill P.E., Manager San Antonio Water System Development Engineering Division, to my client's engineer regarding Resolution 00-198 specifically acknowledges that the proposed development is single family. Consequently, my client's planning and engineering of the development of this property has proceeded in a manner that would comply with the City of Helotes' Subdivision Regulations. In accordance with said regulations, my client has completed





unit one and said plat was approved by the City Council of the City of Helotes on June 28, 2001. Due to the fact that the Water Commitment was obtain for the benefit of all three units and was the first in a series of permits that was required for the project, this permit was relied upon by my client to determine the rules and regulations under which my client would be required to comply in order to complete this project. Thereafter, the City of San Antonio and the City of Helotes mutually released certain portions of each municipality's extraterritorial jurisdiction (hereinafter referred to as "ETJ") to the each other, which caused my client's property to be removed from the City of Helotes' ETJ and to become part of the City of San Antonio's ETJ. My client neither requested that his property be removed from the City of Helotes' ETJ nor did he request that his property be part of the City of San Antonio's ETJ. Rather, when my client made investment decisions regarding the development of the project in reliance on the fact that he his project was within the City of Helotes' ETJ and subject to the City of Helotes' subdivision regulations.

Consequently, I submit to you that pursuant to the terms of Chapter 245, and the facts and circumstances in this instance, the development of the property in this case should be required to comply with the City of Helotes' Subdivision Rules & Regulations that were in effect at the time that the permit application was submitted. Please note that the City of Helotes has adopted certain provisions of the San Antonio Unified Development Code<sup>1</sup> including Article 4, Subdivision A, B, and C; Article 4, Division 6, Subdivision A, B, and C; Division 6, Subdivision A, B, and C; Division 7; and Division 8.

Enclosed herewith please find the following:

1. A check for \$160.00 to cover the costs associated with processing this vested rights permit application;
2. Two (2) copies of Resolution No. 00-198 (the Water Commitment);
3. Two copies of the July 27, 2000 correspondence from Sam Mill P.E., Manager San Antonio Water System Development Engineering Division, referencing Resolution 00-198 and acknowledging the scope of the project;
4. Two (2) copies of Resolution No. 01-192 (the Sewer Commitment);
5. Two copies of the approved plat of the Park at French Creek Unit 1;
6. Two copies of the Park at French Creek Unit 1 water pollution abatement plan that was submitted on June 27, 2000;
7. Copy of Helotes Echo article where City of Helotes discusses project at Council session; and
8. Two copies of the location map showing the location of the project.

---

<sup>1</sup> The City of Helotes adopted the above referenced provisions of the City of San Antonio Unified Development Code that was adopted pursuant to Ordinance No. 65513, passed and approved by City Council of San Antonio August 13, 1987.

Messrs Herrera & Shute  
November 18, 2002  
Page 3

In conclusion, it is my opinion that the above referenced documents conclusively show that my client proceeded to develop this property under the City of Helotes' development regulations. These regulations were, as to the subject property, the regulations that were in effect at the time of the permit application submittal. Consequently, I am requesting your acknowledgement that the City of Helotes' Land Use Regulations that were in effect on January 6, 2002, are the regulations under which this development must be regulated.

Please do not hesitate to contact me should you have any questions regarding this matter.

Sincerely,  
EARL & BROWN, P.C.

By: 

Habib Erkan Jr.

f:4258/herrerashute ltr.doc  
Enclosures



City of San Antonio  
New  
**Vested Rights Permit**  
**APPLICATION**

CITY OF SAN ANTONIO  
DEPARTMENT OF PLANNING  
02 NOV 20 AM 9:09

Permit File: #

**VRP#03-11-014**

Date: 11/18/02

Assigned by city staff

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• **MASTER DEVELOPMENT PLAN (MDP) (Formally POADP)\***

accepted prior to September 1, 1997 are subject to permit right conditions within 18 months from the effective date of the development rights ordinance (9/25/97) and projects submitted after September 1, 1997 are subject to 18 months for the POADP acceptance date.

Name: \_\_\_\_\_ # \_\_\_\_\_

Date accepted: \_\_\_\_\_ Expiration Date: \_\_\_\_\_ MDP Size: \_\_\_\_\_ acres

**EARL & BROWN P.C.**  
**A PROFESSIONAL CORPORATION**  
111 SOLEDAD, SUITE 1111 210-222-1500  
SAN ANTONIO, TX 78205

2349

PAY  
TO THE  
ORDER OF

CITY OF SAN ANTONIO

DATE NOV 19 2002

\$ 160.00

One Hundred Sixty & 0/100

DOLLARS

Hausman Road	VRP#03-11-014
Partnership LTD	
vested rights permit	

THIS CHECK IS DELIVERED FOR PAYMENT ON THE ACCOUNTS LISTED

*[Signature]*

⑈002349⑈ ⑈111000614⑈

1566699680⑈

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